

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION <hr/> THIS DOCUMENT RELATES TO: <i>Wave 11 case Welch, et al. v. Ethicon, Inc., et al., 2:12-cv-08677, and all future Wave cases</i>	Master File No. 2:12-MD-02327 MDL No. 2327 JOSEPH R. GOODWIN U.S. DISTRICT JUDGE
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**PLAINTIFFS' DAUBERT MOTION TO EXCLUDE THE TVT GENERAL CAUSATION
OPINIONS AND TESTIMONY OF BRUCE S. KAHN, M.D.**

COMES NOW Ethicon Wave 11 Plaintiff Tammy Welch, and all future Wave cases, by and through the undersigned attorneys, and file this *Daubert* Motion to Exclude the TVT General Causation Opinions of Bruce S. Kahn, M.D., and would respectfully show the Court that certain of Dr. Kahn's opinions should be excluded for the following reasons:

1. Dr. Kahn is not qualified to testify on the safety and efficacy of the TVT because he has not implanted a TVT since 2005;
2. Dr. Kahn is not qualified to opine or testify on the biocompatibility of TVT, Prolene, or polypropylene;
3. Dr. Kahn is not qualified to opine or testify on degradation and fraying of the TVT, and his opinions are not reliable;
4. Dr. Kahn is not qualified to testify or opine on the TVT's Instructions for Use, and his opinions are not reliable; and
5. Dr. Kahn's opinions regarding pain, erosion and exposure, and urinary problems lack necessary bases and are not reliable.

In support of this motion, Plaintiffs have submitted a memorandum of law and also rely upon the exhibits attached to this motion.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully request that the Court grant their Motion to Exclude the TVT General Causation Opinions of Bruce S. Kahn, M.D. Additionally, Plaintiffs request all other and further relief to which they may be justly entitled.

Dated: August 15, 2019

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing document on August 15, 2019, using the Court's CM-ECF filing system, thereby sending notice of the filing to all counsel of record in this matter.

/s/ Jim M. Perdue, Jr.

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